

Attachment #1

Boston Redevelopment Authority
City Hall Annex (11th Floor)
Boston, Massachusetts

February 7 , 1968

SOUTH BOSTON MEAT AND POULTRY MARKET PROJECT

Application by New Boston Food Market Development Corp. for Approval of Third Amendment to Application by Harold Widett, Duncan Cotting and Milton Silverman, dated June 30, 1967, as amended July 31, 1967, and December 15, 1967, for Approval of Subject Project

New Boston Food Market Development Corp., a Massachusetts corporation formed under Chapter 121A of the General Laws on October 10, 1967, for the purpose of carrying out the subject Project, hereby requests approval of a third amendment to the above-mentioned application of Harold Widett, et al, the effect of which amendment would be (i) to substitute three new stockholder-tenants for four concerns which have withdrawn from the Project; (ii) to adjust the floor areas and initial stockholdings of two other stockholder-tenants to reflect adjustments in the areas of their respective premises; and (iii) to substitute a corporate stockholder-tenant for a sole proprietorship,

the former sole proprietor and his wife being the only shareholders of the new corporate stockholder-tenant.

There has been neither a decrease in the total floor area of the buildings of the Project, nor a reduction of New Boston's capital stock as a result of these changes.

In order to effectuate the necessary changes, the Application of June 30, 1967, as previously amended, must be further amended, as follows:

1. Paragraph 5 thereof, in the second paragraph, the first sentence is deleted, and the following sentence is substituted therefor: "Seven of the eight buildings will each be occupied by a single tenant; the remaining building will be occupied by 24 tenants in 21 separate units or bays ("the community building")."

2. The seventh paragraph of Paragraph 5 thereof is amended:

(a) by deleting the following as stockholder-tenants:

(i) "Thorndike & Gerrish Co.
91 Clinton Street
Boston, Mass."

(ii) "Caron and Company, Inc.
105 Clinton Street
Boston, Mass."

(iii) "James J. Derba, Inc.
16 North Street
Boston, Mass."

(iv) "Epstein Company
26 Richmond Street
Boston, Mass."

(b) by deleting the name "Frank Bertolino d/b/a Frank D. Bertolino Beef Co." and by substituting therefor the corporate name "Frank Bertolino Beef Co., Inc."

(c) by amending the areas allocated to Newmarket Packing Corp., 120 South Market Street, Boston, Massachusetts, to read as follows:

<u>First Floor</u>	<u>Second Floor</u>	<u>Total</u>
5,925 sq. ft.	2,400 sq. ft.	8,325 sq. ft.

(d) by amending the areas allocated to Milton Silverman and Saul Margolis, Nominee, d/b/a Federal Beef Co., and Boston Brisket Company, Inc., 180 Atlantic Avenue, Boston, Massachusetts, to read as follows:

<u>First Floor</u>	<u>Second Floor</u>	<u>Total</u>
3,000 sq. ft.	1,200 sq. ft.	4,200 sq. ft.

(e) by adding the following stockholder-tenants to the list of tenants of the community building:

	<u>First Floor</u>	<u>Second Floor</u>	<u>Total</u>
George A. Mann and William S. Mann d/b/a H. L. Lawrence Co. 46 Faneuil Hall Market Boston, Mass.	2,500 sq. ft.	1,000 sq. ft.	3,500 sq. ft.

	<u>First Floor</u>	<u>Second Floor</u>	<u>Total</u>
G. & H. Poultry & Provisions, Inc. 123 Newmarket Square Boston, Mass.	3,500 sq. ft.	1,200 sq. ft.	4,700 sq. ft.
General Meat Products Co., Inc. 48 Newmarket Square Boston, Mass.	5,925 sq. ft.	2,400 sq. ft.	8,325 sq. ft.

3. The List of Class A Common (Par Value \$100) Stockholders appearing in Paragraph 9 thereof is deleted and in its place is substituted the list attached hereto, hereby made a part hereof and marked Exhibit A.

4. Exhibit B of the Application, a site plan of the Project Area showing, among other things, the locations of the tenants of the community building, is amended in the following respects:

(a) George A. Mann and William S. Mann d/b/a H. L. Lawrence Co. will occupy the space designated for Arthur Glickman d/b/a New England Hotel Supply Co.

(b) Milton Silverman and Saul Margolis, Nominee, d/b/a Federal Beef Co., and Boston Brisket Company, Inc. will occupy the space designated for Epstein Company.

(c) Newmarket Packing Corp. will occupy the space designated for Milton Silverman and Saul Margolis, Nominee, d/b/a Federal Beef Co., and Boston Brisket Company, Inc.

(d) G. & H. Poultry & Provisions, Inc. will occupy the space designated for James J. Derba, Inc.

(e) General Meat Products Co., Inc. will occupy the spaces designated for The Halifax Packing Co., Inc. and for Newmarket Packing Corp.

(f) The Halifax Packing Co., Inc. will occupy the space designated for Melvin J. Kolovson d/b/a South Market Beef Co.

(g) Arthur Glickman d/b/a New England Hotel Supply Co. will occupy the space designated for Caron and Company, Inc.

(h) Melvin J. Kolovson d/b/a South Market Beef Co. will occupy the space designated for Thorndike & Gerrish Co.

CONCLUSION

New Boston Food Market Development Corp. respectfully requests the Authority to approve this Application for approval of a Third Amendment to the Application dated June 30, 1967, as previously amended, and to amend to the extent necessary, if any, its

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"Report and Decision on Application for Approval of the South Boston Meat and Poultry Market 121A Project," adopted August 2, 1967, to make that "Report and Decision" consistent herewith.

Executed under seal this 7th day of February, 1968.

NEW BOSTON FOOD MARKET DEVELOPMENT CORP.

By Harold Widett

Its President.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

February 7, 1968

Then personally appeared the above-named Harold Widett, President as aforesaid, who, being duly sworn, made oath that to the best of his knowledge and belief the statements contained in the foregoing Application are true, before me,

Harold D. Widett
Notary Public

My commission expires: 3-2-72

EXHIBIT A

List of Class A Common (Par Value \$100) Stockholders

<u>Stockholder</u>	<u>Number of Shares</u>
Adams Chapman Company	30
David L. Robbins and Arnold G. Robbins d/b/a Robbins Beef Co.	30
Landy Beef Co., Inc.	50
John F. King, Inc.	30
Abraham Harmon d/b/a A. Harmon & Co. and Kyes Supply Co., Inc., Tenants in Common	33 50/100
S. F. Woodbridge Meat Co.	25
Arthur Glickman d/b/a New England Hotel Supply Co.	25
Samuel Holmes Incorporated	30
Morris Blinder & Co., Inc.	75
Beacon Packing Co., Inc. and Interstate Beef Company as Tenants in Common	60
Melvin J. Kolovson d/b/a South Market Beef Co.	30
Iowa Beef Co., Inc.	30
Lampert Beef Co.	59 25/100
The Halifax Packing Co., Inc.	30
Dole and Bailey, Inc.	49 25/100
Frank Bertolino Beef Co., Inc.	30

<u>Stockholder</u>	<u>Number of Shares</u>
Milton Silverman and Saul Margolis, Nominee, d/b/a Federal Beef Co., and Boston Brisket Company, Inc., Tenants in Common	30
Newmarket Packing Corp.	59 25/100
George A. Mann and William S. Mann d/b/a H. L. Lawrence Co.	25
G. & H. Poultry & Provisions, Inc.	35
General Meat Products Co., Inc.	59 25/100
TOTAL	825 50/100

BOSTON REDEVELOPMENT AUTHORITY

SECOND AMENDMENT TO REPORT AND DECISION ADOPTED BY
BOSTON REDEVELOPMENT AUTHORITY ON AUGUST 2, 1967, ON
APPLICATION BY HAROLD WIDETT ET AL. DATED JUNE 30,
1967, FOR A PROJECT TO BE UNDERTAKEN UNDER CHAPTER
121A OF THE GENERAL LAWS OF MASSACHUSETTS, AS
AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960, AS
AMENDED.

The "Report and Decision on Application for Approval
of the South Boston Meat and Poultry Market 121A Project adopted
by the Authority on August 2, 1967", as amended, is hereby further
amended by striking the figure "22" before the word "tenants", in
paragraph numbered 2 of paragraph B and inserting in place thereof
the figure "21".

Boston Redevelopment Authority
City Hall Annex (11th Floor)
Boston, Massachusetts

February 7, 1968

SOUTH BOSTON MEAT AND POULTRY MARKET PROJECT

Application for Permission for Certain
Stockholders of New Boston Food Market
Development Corp. to Dispose of Certain
of their Interests in the Corporation
Prior to Completion of the Project

New Boston Food Market Development Corp., formed under Chapter 121A of the General Laws on October 10, 1967, with the consent of this Authority, makes this Application on behalf of the stockholder-tenants hereinafter designated. All of these stockholder-tenants executed and delivered to the Authority a "Covenant Against Transfer Prior to Completion," which Covenant prohibits disposal of any stockholder-tenant's interests in the Corporation prior to completion of the Project without obtaining the prior written permission of the Authority.

Such permission is hereby sought in connection with the transactions and adjustments more fully explained in this Corporation's Application for Approval of Third Amendment, filed

of even date herewith. These transactions and adjustments (1) will permit New Boston to conform the initial stockholdings of its tenants to the size of the premises for which they have entered into leases (initially, each stockholder-tenant will own one share of stock for each square foot of ground floor space), and (2) will also permit the Corporation to return to those concerns which have chosen not to participate in the Project the money they have previously invested, while at the same time maintaining the equity investment in New Boston at its present level.

In order to effect the foregoing, the following stockholder-tenants hereby seek permission to sell the following stock interests in the Corporation back to the Corporation for the following sums, which sums present the cost of such stock interests to such stockholder-tenants:

<u>Stockholder-Tenant</u>	<u>Present Stock Interest</u>	<u>Portion to be Sold</u>	<u>Sale Price</u>
Frank Bertolino d/b/a Frank D. Bertolino Beef Co.	30 Shs. Class A	30 Shs.	\$3,000
Caron and Company, Inc.	25 Shs. Class A	25 Shs.	\$2,500
James J. Derba, Inc.	35 Shs. Class A	35 Shs.	\$3,500
Epstein Company	30 Shs. Class A	30 Shs.	\$3,000
Thorndike & Gerrish Co.	30 Shs. Class A	30 Shs.	\$3,000
Newmarket Packing Corp.	30 Shs. Class A	30 Shs.	\$3,000
Milton Silverman and Saul Margolis d/b/a Federal Beef Co., and Boston Brisket Company, Inc.	59.25 Shs. Class A	59.25 Shs.	\$5,925

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Executed under seal this 7th day of February, 1968, by
the Corporation on behalf of the above-named seven stockholder-
tenants.

NEW BOSTON FOOD MARKET DEVELOPMENT CORP.

By Harold Wideitt
Its President

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

February 7, 1968

Then personally appeared the above-named Harold Wideitt,
President as aforesaid, who, being duly sworn, made oath that
to the best of his knowledge and belief the statements contained
in the foregoing Application are true, before me,

Harold Wideitt
Notary Public

My commission expires: 01-01-73

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: HALE CHAMPION -- DEVELOPMENT ADMINISTRATOR
DATE: FEBRUARY 15, 1968
SUBJECT: WATERFRONT URBAN RENEWAL PROJECT (MASS. R-7.7)

Summary: Meat and Poultry 121A Project
Recommendation for approval of amendment to
121A application to permit the substitution
of three new stockholder-tenants for four
withdrawing concerns, to adjust floor areas
and stockholdings of two other stockholder-
tenants, and to substitute a corporate stock-
holder-tenant for a sole proprietorship.

The New Boston Food Market Development Corporation,
which will develop the new Wholesale Meat Market complex in the
Loop Track area in South Boston as a relocation facility for the
Waterfront Project requests the following of the Authority:

1. Approval of an amendment to its approved 121A Application to:
 - (i) substitute three new stockholder-tenants for four withdrawing concerns;
 - (ii) adjust floor areas and stockholdings of two other stockholder-tenants, as set forth in the 121A Application, to reflect adjustments in the areas of their respective premises; and
 - (iii) substitute a corporate stockholder-tenant for a sole proprietorship, with no substantive change in the real parties in interest.
2. Permission for the sale of interests necessitated by the actions referred to in 1. above, as required by the "Covenants against Transfer Prior to Completion" which all of the stockholders have entered into with the Authority.

The four withdrawing stockholder-tenants withdrew for reasons connected with the operation of their respective businesses. These four are Thorndike & Gerrish Co., Caron and Company, Inc., James J. Derba, Inc., and Epstein Company.

The three new stockholder-tenants are George A. Mann and William S. Mann d/b/a H. L. Lawrence Co., G. & H. Poultry & Provisions, Inc., and General Meat Products Co., Inc. H. L. Lawrence Co. is presently located in the Fanueil Hall market area and had originally been a participant in the Project, but dropped out because of anticipated difficulties which now have been removed. G. & H. Poultry and General Meat are presently located at Newmarket Square. The three new stockholder-tenants have assumed in writing the obligations set forth in the "Covenants Against Transfer Prior to Completion".

The adjustments in floor areas and stockholdings arise from the shifts described in the preceding two paragraphs and other modifications in the space program.

The substitution of a corporate stockholder-tenant, Frank Bertolino Beef Co., Inc. for Frank Bertolino d/b/a Frank D. Bertolino Beef Co. is not a change of the real parties in interest.

The proposed Third Amendment (Attachment #1 to this Memorandum) accomplishes the changes described in the preceding four paragraphs. The Amendment involves a comparatively small portion of the total floor area to be constructed in the Project, does not change either the total amount of floor area or the total number of outstanding shares of stock, and does not change the character of the Project. As these changes are of a minor nature, a public hearing is not required for approval of the Amendment.

It has been the Authority's practice, in approving amendments to 121A applications, to amend the Report and Decision of the Authority on the 121A Project to which the application relates. Attachment #2 to this Memorandum, "Second Amendment to the Report and Decision Adopted by the Boston Redevelopment Authority on August 2, 1967," is for this purpose.

Attachment #3 to this Memorandum is the Developer's requested permission for the sale of interests under the "Covenants against Transfer Prior to Completion". These sales are required to carry out the actions referred to in the Third Amendment.

The Corporation has already received one extension from its Construction Contractor, under the terms set forth in its advertisement for bids regarding the time by which construction must be commenced. It believes that the contractor would be unwilling to make another extension, and advises that it is now faced with a firm deadline of March 4 by which construction must be commenced. Before that time, SBA and bank closings must be completed, for which this recommended action by the Authority is a prerequisite.

The foregoing would be accomplished by adoption by the Authority of the attached votes:

- (1) Vote to approve Attachment #1, the Third Amendment to the 121A Application.
- (2) Vote to approve Attachment #2, the Second Amendment to the Report and Decision adopted by the Authority on August 2, 1967.
- (3) Vote to approve Attachment #3, Application for Permission for the sale of stock interests prior to completion of the Project.

Adoption of the three attached votes is hereby recommended.

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